

CH

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
MAY 19 2008  
MAY 19 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA ex rel.  
ELLIS PARTEE,

Petitioner,

v.

DON HULICK, Warden,  
Menard Correctional Center,

Respondent.

No. 08 C 1989

The Honorable  
Robert W. Gettleman,  
Judge Presiding.

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT**

The following Exhibits A through M to respondent's Motion to Dismiss, which was filed on May 19, 2008 in the above-captioned cause, are hereby filed with this Court:

- Exhibit A: Certified Statement of Conviction/Disposition, *People v. Partee*, No. 06 CR 4670 01;
- Exhibit B: Motion to Dismiss Appeal, *People v. Partee*, No. 1-06-3651 (Ill.App. 2007);
- Exhibit C: Order, No. 1-06-3651, *People v. Partee* (Ill.App. 2007);
- Exhibit D: Order Allowing Appellant's Motion for an Extension of Time to File Appellant's Record, *People v. Partee*, No. 1-07-0191;
- Exhibit E: Habeas petition, *People v. Partee*, No. 06 CR 04670 01;
- Exhibit F: Notification of Denial Order, *People v. Partee*, No. 06 CR 04670 01;

- Exhibit G: Order Denying Petitioner's Motion to Hold Appeal No. 1-07-1928 In Abeyance Until the Resolution of Appeal No. 1-07-0191, *People v. Partee*, No. 1-07-1928 (Ill.App. 2007);
- Exhibit H: Postconviction petition, *People v. Partee*, No. 06 CR 4670 01, Circuit Court of Cook County;
- Exhibit I: Report of Proceedings, August 27, 2007, *People v. Partee*, No. 06 CR 4670 01;
- Exhibit J: Order Denying Petitioner's Motion to Hold Appeal In Abeyance Until the Resolution of Appeal 1-07-0191, *People v. Partee*, No. 1-07-2701 (Ill.App. 2007);
- Exhibit K: Petition for Leave to File a Petition for an Original Writ of Mandamus, *People v. Partee*, No. 11951 (Ill. 2007);
- Exhibit L: Order, *People v. Partee*, No. 11951 (Ill. 2007); and
- Exhibit M: Status Report, *People v. Partee*, No. 1-07-0191 (Ill.App. 2007).

May 19, 2008

Respectfully submitted,

LISA MADIGAN  
Attorney General of Illinois

By:

  
SHERI L. WONG, Bar No. 6291090  
Assistant Attorney General  
100 West Randolph Street, 12th Floor  
Chicago, Illinois 60601-3218  
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 06CR0467001

ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION with the Clerk of the Circuit Court.

Charging the above named defendant with:

720-5/19-1(a)

F

BURGLARY

The following disposition(s) was/were rendered before the Honorable Judge(s):

03/10/06 IND/INFO-CLK OFFICE-PRES JUDGE 06CR0467001 ID# CR100220102	03/17/06 1701	
03/17/06 CASE ASSIGNED BIEBEL, PAUL JR.	03/17/06 1717	
03/17/06 DEFENDANT ON BOND CLAPS JOSEPH M	00/00/00	
03/17/06 CONTINUANCE BY ORDER OF COURT CLAPS JOSEPH M	03/22/06	
03/22/06 DEFENDANT IN CUSTODY WADAS, KENNETH J.	00/00/00	
03/22/06 PRISONER DATA SHEET TO ISSUE WADAS, KENNETH J.	00/00/00	
03/22/06 SPECIAL ORDER DEFT ADMONISHED ASTO SUPR CT RULE 401 WADAS, KENNETH J.	00/00/00	
03/22/06 PLEA OF NOT GUILTY WADAS, KENNETH J.	00/00/00	
03/22/06 JURY WAIVED WADAS, KENNETH J.	00/00/00	
03/22/06 ADMONISH AS TO TRIAL IN ABSENT WADAS, KENNETH J.	00/00/00	
03/22/06 MOTION TO SUBSTITUTE JUDGE WADAS, KENNETH J.	00/00/00 F	2
03/22/06 TRANSFERRED WADAS, KENNETH J.	03/23/06 1701	
03/23/06 CASE ASSIGNED BIEBEL, PAUL JR.	03/23/06 1730	
03/23/06 DEFENDANT IN CUSTODY SHULTZ, LON W	00/00/00	

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PEOPLE OF THE STATE OF ILLINOIS

VS

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PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
03/23/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SHULTZ, LON W	
03/23/06 SPECIAL ORDER	00/00/00
DEFENDANT PROCEEDING ( PRO SE )	
SHULTZ, LON W	
03/23/06 MOTION STATE - CONTINUANCE -MS	03/28/06
SHULTZ, LON W	
03/28/06 DEFENDANT IN CUSTODY	00/00/00
SHULTZ, LON W	
03/28/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SHULTZ, LON W	
03/28/06 PUBLIC DEFENDER APPOINTED	00/00/00
SHULTZ, LON W	
03/28/06 SPECIAL ORDER	00/00/00
TRANSCRIPTS ORDERED	
SHULTZ, LON W	
03/28/06 WITNESSES ORDERED TO APPEAR	00/00/00
FOR HEARING ON SUBSTITUTION OF JUDGES	
SHULTZ, LON W	
03/28/06 CONTINUANCE BY AGREEMENT	04/05/06
SHULTZ, LON W	
04/05/06 DEFENDANT IN CUSTODY	00/00/00
SHULTZ, LON W	
04/05/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SHULTZ, LON W	
04/05/06 MOTION TO SUBSTITUTE JUDGE	00/00/00 S
SHULTZ, LON W	2
04/05/06 TRANSFERRED	04/06/06 1701
SHULTZ, LON W	
04/06/06 CASE ASSIGNED	04/06/06 1723
BIEBEL, PAUL JR.	
04/06/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
04/06/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
04/06/06 PUBLIC DEFENDER APPOINTED	00/00/00
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS

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ELLIS

PARTEE

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I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION

04/06/06 PLEA OF NOT GUILTY

SACKS STANLEY J.

04/06/06 DEFENDANT ARRAIGNED

00/00/00

SACKS STANLEY J.

04/06/06 ADMONISH AS TO TRIAL IN ABSENT

00/00/00

SACKS STANLEY J.

04/06/06 CONTINUANCE BY AGREEMENT

04/12/06

SACKS STANLEY J.

04/12/06 DEFENDANT IN CUSTODY

00/00/00

SACKS STANLEY J.

04/12/06 PRISONER DATA SHEET TO ISSUE

00/00/00

SACKS STANLEY J.

04/12/06 CONTINUANCE BY AGREEMENT

04/14/06

SACKS STANLEY J.

04/14/06 DEFENDANT IN CUSTODY

00/00/00

SACKS STANLEY J.

04/14/06 PRISONER DATA SHEET TO ISSUE

00/00/00

SACKS STANLEY J.

04/14/06 DEF DEMAND FOR TRIAL

00/00/00

SACKS STANLEY J.

04/14/06 CONTINUANCE BY ORDER OF COURT

05/01/06

SACKS STANLEY J.

05/01/06 DEFENDANT IN CUSTODY

00/00/00

SACKS STANLEY J.

05/01/06 PRISONER DATA SHEET TO ISSUE

00/00/00

SACKS STANLEY J.

05/01/06 MOTION TO DISMISS CHARGES

D

2

MOTION DENIED

SACKS STANLEY J.

05/01/06 MOTION TO SUPPRESS

00/00/00 D

2

SACKS STANLEY J.

05/01/06 MOTION TO QUASH ARREST

00/00/00 D

2

SACKS STANLEY J.

05/01/06 DEF DEMAND FOR TRIAL

00/00/00

SACKS STANLEY J.

05/01/06 MOTION STATE - CONTINUANCE -MS

05/10/06

SACKS STANLEY J.

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The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
05/11/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
05/11/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
05/11/06 MOTION DEFT - CONTINUANCE - MD	05/31/06
SACKS STANLEY J.	
05/31/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
05/31/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
05/31/06 SPECIAL ORDER	00/00/00
PO-SE	
SACKS STANLEY J.	
05/31/06 SPECIAL ORDER	00/00/00
STATE FILES MTN TO INTRODUCE OF ANOTHER CRIMES.	
SACKS STANLEY J.	
05/31/06 CONTINUANCE BY ORDER OF COURT	06/02/06
SACKS STANLEY J.	
06/02/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/02/06 SPECIAL ORDER	00/00/00
DEFD SECOND MTN FOR DISCOVERY HEARD AND RULED UPON	
SACKS STANLEY J.	
06/02/06 MOTION TO DISMISS INDICTMENT	00/00/00 D
SACKS STANLEY J.	
06/02/06 CONTINUANCE BY ORDER OF COURT	06/05/06
SACKS STANLEY J.	
06/05/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/05/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
06/05/06 SPECIAL ORDER	00/00/00
DEFENSE MOTION TO DISMISS INDICTMENT IS DENIED	
SACKS STANLEY J.	
06/05/06 SPECIAL ORDER	00/00/00
DEFENSE FILE SECOND MOTION FOR DISCOVERY	
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 06CR0467001

ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

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The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
06/05/06 SPECIAL ORDER	00/00/00
MOTION FOR CERTIFIED COPIES PF CONVICTION FOR STATES WITNESS IS DENIED.	
SACKS STANLEY J.	
06/05/06 DEF DEMAND FOR TRIAL	00/00/00
SACKS STANLEY J.	
06/05/06 MOTION STATE - CONTINUANCE -MS	06/15/06
SACKS STANLEY J.	
06/15/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/15/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
06/15/06 SPECIAL ORDER	00/00/00
PRO-SE	
SACKS STANLEY J.	
06/15/06 CONTINUANCE BY ORDER OF COURT	06/19/06
FOR JURY	
SACKS STANLEY J.	
06/19/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/19/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
06/19/06 CONTINUANCE BY ORDER OF COURT	06/20/06
PRO-SE, JURY, CIVILIAN CLOTHES .	
SACKS STANLEY J.	
06/20/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/20/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
06/20/06 SPECIAL ORDER	00/00/00
TWELVE (12) JURORS AND TWO(2) ALTERNATES	
SACKS STANLEY J.	
06/20/06 TRIAL COMENCED AND CONTINUED	06/21/06
SACKS STANLEY J.	
06/21/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/21/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS

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ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
06/21/06 SPECIAL ORDER	00/00/00
JURY TRIAL COMMENCED AND CONTINUE; TWELVE JURORS AND TWO ALTERNATES	
SACKS STANLEY J.	
06/21/06 VERDICT OF GUILTY	C001 00/00/00
SACKS STANLEY J.	
06/21/06 BAIL REVOKED	00/00/00
SACKS STANLEY J.	
06/21/06 CONTINUANCE BY ORDER OF COURT	06/22/06
SACKS STANLEY J.	
06/22/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
06/22/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
06/22/06 PUBLIC DEFENDER APPOINTED	00/00/00
SACKS STANLEY J.	
06/22/06 PRE-SENT INVEST. ORD, CONTD TO	00/00/00
SACKS STANLEY J.	
06/22/06 SPECIAL ORDER	00/00/00
COURT ORDER ENTERED; IT IS HEREBY ORDERED THAT ALL TRIAL AND PRE-TRIAL MO	
SACKS STANLEY J.	
06/22/06 SPECIAL ORDER	00/00/00
TRANSCRIPTS BE TENDERED TO THE PUBLIC DEFENDER--DATED AS FOLLOWS:	
SACKS STANLEY J.	
06/22/06 SPECIAL ORDER	00/00/00
MAY 1, 2006; MAY 31, 2006; JUNE 2, 2006; JUNE 5, 2006; JUNE 20, 2006; AND	
SACKS STANLEY J.	
06/22/06 SPECIAL ORDER	00/00/00
JUNE 21, 2006.	
SACKS STANLEY J.	
06/22/06 MOTION DEFT - CONTINUANCE - MD	07/20/06
FOR POST TRIAL MOTIONS AND SENTENCING.	
SACKS STANLEY J.	
07/20/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
07/20/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
07/20/06 SPECIAL ORDER	00/00/00
ATTORNEY IN COURT	
SACKS STANLEY J.	



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS

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ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
07/20/06 SPECIAL ORDER	00/00/00
DEFENDANTS APPEARANCE IS WAIVED ON THE NEXT COURT DATE (AUGUST 8, 2006)	
SACKS STANLEY J.	
07/20/06 MOTION DEFT - CONTINUANCE - MD	08/08/06
SACKS STANLEY J.	
08/08/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
08/08/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
08/08/06 SPECIAL ORDER	00/00/00
ATTORNEY ADRIENNE DAVIS IN COURT	
SACKS STANLEY J.	
08/08/06 PRE-TRIAL INVESTIGATION ORDRD	00/00/00
SECOND REQUEST	
SACKS STANLEY J.	
08/08/06 MOTION DEFT - CONTINUANCE - MD	09/13/06
FOR POST TRIAL MOTIONS AND SENTENCING	
SACKS STANLEY J.	
09/13/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
09/13/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
09/13/06 SPECIAL ORDER	00/00/00
ATTORNEY ADRIENNE DAVIS IS PRESENT	
SACKS STANLEY J.	
09/13/06 MOTION DEFT - CONTINUANCE - MD	09/15/06
FOR POST TRIAL MOTIONS AND SENTENCING	
SACKS STANLEY J.	
09/15/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
09/15/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
09/15/06 CONTINUANCE BY ORDER OF COURT	09/25/06
SACKS STANLEY J.	
09/25/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
09/25/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
09/25/06 MOTION TO WITHDRAW AS ATTORNEY	00/00/00
PUBLIC DEFENDER (ADRIENNE DAVIS)	
SACKS STANLEY J.	
09/25/06 MOTION DEFT - CONTINUANCE - MD	09/29/06
FOR ATTORNEY	
SACKS STANLEY J.	
09/29/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
09/29/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
09/29/06 MOTION DEFT - CONTINUANCE - MD	10/27/06
FOR ATTORNEY	
SACKS STANLEY J.	
10/27/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
10/27/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
10/27/06 CONTINUANCE BY ORDER OF COURT	11/17/06
FOR ATTORNEY	
SACKS STANLEY J.	
11/17/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
11/17/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
11/17/06 CONTINUANCE BY ORDER OF COURT	11/22/06
SACKS STANLEY J.	
11/22/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
11/22/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
11/22/06 MOTION DEFENDANT - NEW TRIAL	F 2
AND DENIED/MEMORANDEUM OF LAW IN SUPPORT OF MOTION FOR NEW TRIAL	
SACKS STANLEY J.	
11/22/06 CONTINUANCE BY ORDER OF COURT	11/28/06
FOR SENTENCING	
SACKS STANLEY J.	
11/28/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
11/28/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
11/28/06 CONTINUANCE BY ORDER OF COURT	12/07/06
SACKS STANLEY J.	
12/07/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
12/07/06 PRISONER DATA SHEET TO ISSUE	00/00/00
SACKS STANLEY J.	
12/07/06 SPECIAL ORDER	00/00/00
HEARING AGG & MITIGATION COMMENCED & CONT.	
SACKS STANLEY J.	
12/07/06 CONTINUANCE BY ORDER OF COURT	12/08/06
SACKS STANLEY J.	
12/08/06 DEFENDANT IN CUSTODY	00/00/00
SACKS STANLEY J.	
12/08/06 SPECIAL ORDER	00/00/00
PRO - SE; HEARING IN AGGRAVATION AND MITIGATION	
SACKS STANLEY J.	
12/08/06 DEF SENTENCED ILLINOIS DOC	C001 00/00/00
7 YRS	
SACKS STANLEY J.	
12/08/06 CREDIT DEFENDANT FOR TIME SERV	00/00/00
304 DYS	
SACKS STANLEY J.	
12/08/06 DEF ADVISED OF RIGHT TO APPEAL	00/00/00
SACKS STANLEY J.	
12/08/06 BAIL REVOKED	00/00/00
SACKS STANLEY J.	
12/08/06 LET MITTIMUS ISSUE/MITT TO ISS	00/00/00
SACKS STANLEY J.	
12/08/06 WARRANT QUASHED	00/00/00
SACKS STANLEY J.	
12/08/06 CHANGE PRIORITY STATUS	M 00/00/00
SACKS STANLEY J.	
12/08/06 M/D TO APPT COUNSEL FOR APPEAL	00/00/00 F
SACKS STANLEY J.	
12/08/06 NOTICE OF APPEAL FILED, TRNSFR	00/00/00
SACKS STANLEY J.	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION			
12/08/06 RECALL/EXEC SENT TO POLICE AGY	00/00/00		
12/08/06 NOTICE OF APPEAL FILED, TRNSFR	00/00/00		
12/12/06 NOTICE OF NOTICE OF APP MAILED	00/00/00		
12/12/06 HEARING DATE ASSIGNED	12/15/06	1713	
12/15/06 ILL STATE APPELLATE DEF APPTD	00/00/00		
BIEBEL, PAUL JR.			
12/15/06 O/C FREE REPT OF PROCD ORD N/C	00/00/00		
BIEBEL, PAUL JR.			
12/15/06 MEMO OF ORDS & NOA PICKED-UP	00/00/00		
BIEBEL, PAUL JR.			
12/22/06 MOTION TO REDUCE SENTENCE	00/00/00	F	2
12/22/06 HEARING DATE ASSIGNED	01/08/07	1723	
12/05/06 APPELLATE COURT NUMBER ASGND		07-0191	
01/03/07 DEFENDANT NOT IN COURT	00/00/00		
SACKS STANLEY J.			
01/03/07 MOTION TO REDUCE SENTENCE	00/00/00	D	2
DEFENDANT TO BE NOTIFIED			
SACKS STANLEY J.			
01/08/07 SPECIAL ORDER	00/00/00		
ON CALL IN ERROR; SEE ORDER OF 01/03/2007--OFF CALL			
SACKS STANLEY J.			
01/12/07 COMMON LAW RECORD PREPARED			07-0191
ONE VOLUME			
01/16/07 NOTICE OF APPEAL FILED, TRNSFR	00/00/00		
01/16/07 NOTICE OF NOTICE OF APP MAILED	00/00/00		
01/16/07 HEARING DATE ASSIGNED	01/19/07	1713	
01/19/07 ILL STATE APPELLATE DEF APPTD	00/00/00		
GAINER THOMAS V JR.			
01/19/07 O/C FREE REPT OF PROCD ORD N/C	00/00/00		
GAINER THOMAS V JR.			
01/19/07 MEMO OF ORDS & NOA PICKED-UP	00/00/00		
GAINER THOMAS V JR.			
01/12/07 COMMON LAW RECORD PREPARED			
01/19/07 CLR RECD BY APP COUNSEL			07-0191
STATE APPELLATE DEFENDER - ONE VOLUME			
01/17/07 NOTICE OF APPEAL FILED, TRNSFR	00/00/00		
01/23/07 APPELLATE COURT NUMBER ASGND	00/00/00	07-0191	

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## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION		
04/16/07 MANDATE FILED	04/25/07 1701	
06-3651		
04/25/07 SPECIAL ORDER	00/00/00	
DEFENDANT MOTION TO DISMISS APPEAL ALLOWED		
BIEBEL, PAUL JR.		
05/22/07 MOTION FOR WRIT OF HABEAS CORP	00/00/00 F	2
05/22/07 HEARING DATE ASSIGNED	05/25/07 1717	
05/25/07 DEFENDANT IN CUSTODY	00/00/00	
WADAS, KENNETH J.		
05/25/07 DEFENDANT NOT IN COURT	00/00/00	
WADAS, KENNETH J.		
05/25/07 TRANSFERRED	05/25/07 1723	
WADAS, KENNETH J.		
05/25/07 CONTINUANCE BY ORDER OF COURT	05/25/07	
WADAS, KENNETH J.		
06/08/07 HABEAS CORPUS PETITION DENIED	00/00/00	
SACKS STANLEY J.		
07/02/07 NOTICE OF APPEAL FILED, TRNSFR	06/08/07	
07/10/07 NOTICE OF NOTICE OF APP MAILED	00/00/00	
07/10/07 HEARING DATE ASSIGNED	07/13/07 1713	
07/17/07 APPELLATE COURT NUMBER ASGND	00/00/00 07-1928	
07/13/07 ILL STATE APPELLATE DEF APPTD	00/00/00	
07/13/07 O/C FREE REPT OF PROCD ORD N/C	00/00/00	
07/19/07 COMMON LAW RECORD PREPARED	00/00/00 07-1928	
ONE VOLUME CLR		
07/25/07 CLR RECD BY APP COUNSEL	00/00/00 07-1928	
PUBLIC DEFENDER - ONE VOLUME		
07/25/07 REPT OF PRCDS ORD FR CRT RPT	00/00/00	
08/10/07 POST-CONVICTION FILED	00/00/00	
08/10/07 HEARING DATE ASSIGNED	08/17/07 1723	
08/06/07 REPT OF PRCDS ORD FR CRT RPT	00/00/00	
08/17/07 CONTINUANCE BY ORDER OF COURT	08/23/07	
PORTER DENNIS J		
08/23/07 POST-CONV PETITION DISMISSED	00/00/00	
TO BE ENTERED 8/30/07		
SACKS STANLEY J.		
08/23/07 SPECIAL ORDER	00/00/00	
TO SUEOR DEPEND AS A POOR PERSON DENIED TO BE ENETERED 8/30/07		
SACKS STANLEY J.		

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Page 012

PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 06CR0467001

ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION

08/23/07 SPECIAL ORDER

MTN FOR APPTMT OF COUSNEL DENIED TO BE ENTERED ON 8/30/07

SACKS STANLEY J.

08/23/07 CONTINUANCE BY ORDER OF COURT

08/30/07

SACKS STANLEY J.

08/27/07 POST-CONV PETITION DISMISSED

00/00/00

SACKS STANLEY J.

08/27/07 SPECIAL ORDER

00/00/00

TO SUE OR DEFEND AS A POOR PERSON DENIED

SACKS STANLEY J.

08/27/07 SPECIAL ORDER

00/00/00

MTN FOR APPTMT OF COUNSEL DENIED.

SACKS STANLEY J.

08/30/07 PREVIOUS ORDER TO STAND

08/27/07

SACKS STANLEY J.

08/30/07 NOTIFICATION SENT TO DEFENDANT

00/00/00

09/12/07 REPORT OF PROCEEDINGS PREPARED

07-2701

ONE VOLUME

09/12/07 REPT/PROCDS RECD BY APP ATTRY

07-2701

PUBLIC DEFENDER - ONE VOLUME

09/11/07 TRANS PROC REC/FILED CLKS OFF

00/00/00

ONE VOLUME

09/20/07 NOTICE OF APPEAL FILED, TRNSFR

08/27/07

09/25/07 NOTICE OF NOTICE OF APP MAILED

00/00/00

09/25/07 HEARING DATE ASSIGNED

09/28/07 1713

09/28/07 PUBLIC DEF APPTD FOR APPEAL

00/00/00

BIEBEL, PAUL JR.

09/28/07 O/C FREE REPT OF PROCD ORD N/C

00/00/00

BIEBEL, PAUL JR.

10/01/07 COMMON LAW RECORD PREPARED

07-2701

ONE (1) VOLUME

10/01/07 APPELLATE COURT NUMBER ASGND

00/00/00 07-2701

10/04/07 CLR RECD BY APP COUNSEL

00/00/00 07-2701

PUBLIC DEFENDER - ONE VOLUME

11/06/07 REPT OF PRCDs ORD FR CRT RPT

00/00/00

02/05/08 MOTION FOR CORRECTED MITTIMUS

00/00/00 F 2

02/05/08 HEARING DATE ASSIGNED

02/13/08 1723

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Page 013

PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 06CR0467001

ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION	
02/13/08 MOTION FOR CORRECTED MITTİMUS	00/00/00 D
SACKS STANLEY J.	
02/13/08 SPECIAL ORDER	00/00/00
LV.TO FILE PET.FOR MANDAMUS DENIED	
SACKS STANLEY J.	
02/13/08 SPECIAL ORDER	00/00/00
APPLICATION TO SUE OR DEFEND AS A POOR PERSON DENIED	
SACKS STANLEY J.	
02/13/08 TRANS PROC REC/FILED CLKS OFF	00/00/00
FIVE VOLUMES	
03/04/08 SUPPLEMENTAL CLR PREPARED	00/00/00 07-0191
ONE VOLUME	
03/04/08 REPORT OF PROCEEDINGS PREPARED	00/00/00 07-0191
FIVE VOLUMES	
03/05/08 SUPPL REC RECD BY APPL COUNSEL	00/00/00 07-0191
STATE APPELLATE DEFENDER - ONE VOLUME	
03/17/08 NOTICE OF APPEAL FILED, TRNSFR	02/13/08
03/17/08 NOTICE OF APPEAL FILED, TRNSFR	02/13/08
03/25/08 NOTICE OF NOTICE OF APP MAILED	00/00/00
03/25/08 HEARING DATE ASSIGNED	03/28/08 1713
04/02/08 COMMON LAW RECORD PREPARED	08-0868
ONE (1) VOLUME	
03/28/08 PUBLIC DEF APPTD FOR APPEAL	00/00/00
BIEBEL, PAUL JR.	
03/28/08 O/C FREE REPT OF PROCD ORD N/C	00/00/00
BIEBEL, PAUL JR.	
04/04/08 APPELLATE COURT NUMBER ASGND	00/00/00 08-0868
04/02/08 REPT OF PRCDs ORD FR CRT RPT	00/00/00
04/10/08 CLR RECD BY APP COUNSEL	00/00/00 08-0868
PUBLIC DEFENDER - ONE VOLUME	
04/24/08 SUPP TRAN PRO REC/FILE CLK OFF	00/00/00
ONE VOLUME	
04/29/08 SUPPL REPORT OF PRCD PREPARED	00/00/00 07-2701
ONE VOLUME	
04/30/08 SUPPL REC RECD BY APPL COUNSEL	00/00/00 07-2701
PUBLIC DEFENDER - ONE VOLUME	

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Page 014

PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 06CR0467001

ELLIS

PARTEE

## CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION



I hereby certify that the foregoing has been entered of record on the above captioned case.

Date 05/08/08

  
DOROTHY BROWN

CLERK OF THE CIRCUIT COURT OF COOK COUNTY



L.P.  
Div 3

No. 1-06-3651

FILED APPELLATE COURT  
1ST DIST.

IN THE

2007 JAN 29 PM 2:42

APPELLATE COURT OF ILLINOIS

STEVEN M. RAVID  
CLERK OF COURT

FIRST DISTRICT

---

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

---

**MOTION TO DISMISS APPEAL**

Michael J. Pelletier, Deputy Defender, Office of the State Appellate Defender,  
respectfully moves that this Court dismiss this appeal.

AT  
DIS  
HPL

In support of this motion, Michael J. Pelletier states:

1. Appellant was convicted of burglary and on December 8, 2006 was sentenced to 7 years in the Illinois Department of Corrections by the Honorable Stanley J. Sacks.
2. Defendant is currently incarcerated.
3. Notice of appeal was filed on December 8, 2006 and was assigned appeal number 1-06-3651.
4. On December 22, 2006, Appellant filed a motion to reduce sentence. Appellant's motion was denied on January 3, 2007.
5. Notice of appeal was filed on January 16, 2007 and was assigned appeal number 1-07-0191.

6. The Office of the State Appellate Defender was appointed to represent Appellant on both appeals.

7. Upon review of the facts of the case, appellate counsel determined that the notice of appeal filed on December 8, 2006 and assigned appeal number 1-06-3651 was filed prematurely and can be dismissed.

WHEREFORE, the Office of the State Appellate Defender respectfully moves to dismiss this appeal.

Respectfully submitted,

  
MICHAEL J. PELLETIER

Deputy Defender

Office of the State Appellate Defender

203 North LaSalle Street - 24th Floor

Chicago, Illinois 60601

(312) 814-5472

COUNSEL FOR DEFENDANT-APPELLANT

STATE OF ILLINOIS    )  
                              )   SS  
COUNTY OF COOK     )

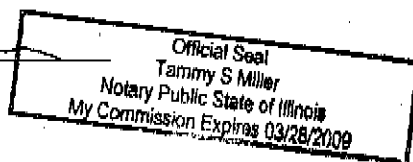
**AFFIDAVIT**

Michael J. Pelletier, being first duly sworn on oath, deposes and says that he has read the foregoing Motion by him subscribed and the facts stated therein are true and correct to the best of his knowledge and belief.

  
MICHAEL J. PELLETIER  
Deputy Defender

SUBSCRIBED AND SWORN TO BEFORE ME  
on January 26, 2007.

  
NOTARY PUBLIC



Page 20 of 49

No. 1-06-3651

IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

## PROOF OF SERVICE

TO: Richard A. Devine  
Cook County State's Attorney  
300 Daley Center  
Chicago, Illinois 60602

Mr. Ellis Partee  
Register No. A-15421  
Vandalia Correctional Center  
P.O. Box 500  
Vandalia, IL 62471

You are hereby notified that on January 26, 2007, we personally delivered the original and three copies of the attached Motion to Dismiss Appeal in the above-entitled cause to the Clerk of the above Court, a copy of which is hereby served on you.

MICHAEL J. PELLETIER  
Deputy Defender

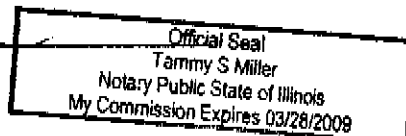
STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

The undersigned, being first duly sworn on oath, deposes and says that he personally delivered the required number of copies of the attached Motion to the Clerk of the above Court and to the State's Attorney of Cook County on January 26, 2007.

CLERK

SUBSCRIBED AND SWORN TO BEFORE ME  
on January 26, 2007. /

NOTARY PUBLIC



No. 1-06-3651

IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

**ORDER**

- This matter coming to be heard on Appellant's motion, all parties having been duly notified, and the Court being advised in the premises,

IT IS HEREBY ORDERED:

That Appellant's Motion to Dismiss Appeal is ~~allowed/denied~~.

**ORDER ENTERED**

FEB 08 2007

APPELLATE COURT, FIRST DISTRICT

  
PRESIDING JUSTICE  
JUSTICE  
JUSTICE

DATE: \_\_\_\_\_

MICHAEL J. PELLETIER

Deputy Defender

Office of the State Appellate Defender

203 North LaSalle Street - 24th Floor

Chicago, Illinois 60601

(312) 814-5472

COUNSEL FOR DEFENDANT-APPELLANT

No. 1-07-0191

IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

**ORDER**

This matter coming to be heard on Appellant's motion, all parties having been duly notified, and the Court being advised in the premises,

**IT IS HEREBY ORDERED:**

That an extension of time until November 12, 2007, in which to file Appellant's record is allowed/~~denied~~.

**THIS IS A  
FINAL  
EXTENSION**

  
PRESIDING JUSTICE\_\_\_\_\_  
JUSTICE\_\_\_\_\_  
JUSTICE

DATE: \_\_\_\_\_

MICHAEL J. PELLETIER  
Deputy Defender

Office of the State Appellate Defender  
203 North LaSalle Street - 24th Floor  
Chicago, Illinois 60601

(312) 814-5472

COUNSEL FOR DEFENDANT-APPELLANT

**ORDER ENTERED****SEP 19 2007****APPELLATE COURT, FIRST DISTRICT**

VS.

No. 06 CR 4670  
Indictment

Yolonda Johnson, Warden,  
Respondent, Defendant.

# PETITION

TO: THE CIRCUIT COURT, COUNTY OF Cook County

The petition of Ellis PARTEE, for HABEAS CORPUS

pursuant to 735 ILCS 5/10-102 et. seq. (1992), states as follows:

1. I Ellis ParTEE, in whose behalf the petition is applied for, is confined or restrained of liberty at Pittsneyville Corr. Ctr. Pittsneyville,  
Illinois PERRY County, by Warden Zolonda Johnson,  
respondent above named, Chief Administrative Officer of said correctional center.
2. Name and location of court under whose process plaintiff is confined: Cook County  
Circuit Court, 2650 S. California, Chicago, IL
3. Nature of the crime and case number resulting in confinement: Burglary  
#06 CR 4670
4. The length of sentence is 7 YEARS  
and a copy of commitment is attached hereto and incorporated herein as "Exhibit A".
5. The date of judgment, order, or decree for confinement is 12/08/06
6. I entered a pleas of Guilty/Not Guilty. [REDACTED]

EXHIBIT E

7. I was convicted by a Bench Trial/Jury Trial.

8. Was an appeal taken? YES

9. If you answered "yes" to question "8", list:

(a) Name of court Illinois Appellate Court, First District

(b) Disposition Still pending

(c) Date of disposition " "

(d) Issues raised Record not perfected; case not briefed

10. If the answer to question "8" was "no", state the reasons for not appealing: \_\_\_\_\_

11. Have any other applications, petitions, or motions been filed or made in regard to the same detention or restraint? No

12. If you answered "yes" to question "11", list:

(a) Name of court \_\_\_\_\_

(b) Disposition \_\_\_\_\_

(c) Date of disposition \_\_\_\_\_

(d) Issues raised \_\_\_\_\_

15. I believe that I am being held unlawfully on the following grounds:

(A) Ground one: One act one crime rule violated, as well as the constitutional prohibition against double jeopardy, where petitioner entered into Plea Agreement (12/23/05),



Dismissing initial charge for which he was later indicted on;

(B) Ground two: Denied the compulsory process, the right to confront witnesses, introduce relevant mitigation evidence at sentencing hearing, and deprived of effective assistance of counsel at both pre-trial and post-trial stages in violation of the U.S. Constitution;

(C) Ground three: Denied due process of law where state was allowed to obtain indictment by use of false and deliberately misleading testimony of state actors, and by the trial judge's limiting order of 6/20/06 precluding eliciting testimony about the matter; and

(D) Ground four: Conditions of confinement violates the revolving standard of decency where petitioner is being denied toiletries, including toothpaste and toothbrushes, no mail privileges other than legal, and denied access to the prison's law library in violation of the U.S. Constitution.

16. Have all grounds raised in this petition been presented to the highest court having

jurisdiction? \_\_\_\_\_

17. If you answered "no" to question "16", what grounds were not presented and why: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. Do you have any other petition or appeal now pending in any court, either state or federal, as to the judgment under attack? NO

19. If you answered "yes" to question "18", list:

- (a) Name of court \_\_\_\_\_
- (b) Disposition \_\_\_\_\_
- (c) Date of disposition \_\_\_\_\_
- (d) Issues raised \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

WHEREFORE, Plaintiff prays that a PETITION OF HABEAS CORPUS directed to the Defendant above named, issued for the purpose of inquiring into the cause of the imprisonment and restraint of the Plaintiff, and the delivering him therefrom, pursuant to law.

Respectfully submitted,

/s/

Ellis Carter  
Plaintiff, pro se  
Number A-15421  
P.O. Box 999  
Pickneyville, Illinois  
Zip code 62274

**AFFIDAVIT**

I, Ellis Carter, deposes and says that as to the petition herein, he is the plaintiff in the above entitled cause; that he has read the foregoing document, by his signed and that the statements contained therein are true in substance and in fact.

s/s

Ellis Carter  
Plaintiff, pro se

Signed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION OF CERTIFICATION

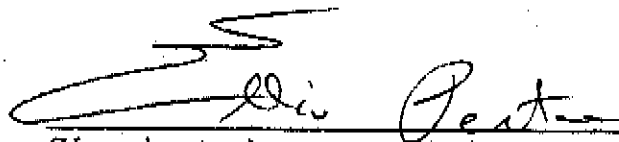
I, Ellis Partee, the undersigned, certify and state that:

1. I am the (Petitioner/Respondent) in the above captioned legal matter.
2. I have read the foregoing application and have knowledge of its contents;

and

3. Under penalties as provided by law pursuant to sec. 1-109 of the Code of Civil Procedure,

I certify that the statements set forth in the foregoing motion and this affidavit are true and correct except as to matters therein stated to be on information and belief, and as to such matters I certify that I believe the same to be true.

  
(Your signature)

## ORDER

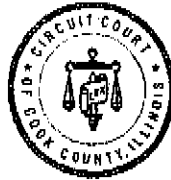
The foregoing application is:

\_\_\_\_\_ Granted

\_\_\_\_\_ Denied

\_\_\_\_\_  
Judge, Circuit Court

DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT



Criminal Division  
2650 South California Avenue  
Room 528  
Chicago, Illinois 60608  
(773) 869-3147  
FAX (773) 869-4444  
[www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org)

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

June 18, 2007

Ellis Partee #A-15421  
Pinckneyville C.C.  
P.O. Box 999  
Pinckneyville, IL 62274

Dear Ellis Partee:

RE: Case Number 06CR04670-01

Please be advised that on 06/08/07, the Honorable Judge Stanley J. Sacks denied your motion for Writ of Habeas Corpus. OFF CALL.

If you have additional questions regarding this ruling, please contact your attorney or the public defender.

Office of the Public Defender, Cook County  
2650 South California Avenue  
7<sup>th</sup> Floor  
Chicago, IL 60608  
(773) 869-3222

Sincerely,  
Dorothy Brown  
Clerk of the Circuit Court of Cook County, Illinois



By: 

Deputy Clerk

CCCR EF 18-2/4/2007 - Motion Denied Letter

EXHIBIT F

MISSION STATEMENT

The mission of the office of the Clerk of the Circuit Court of Cook County is to serve the citizens of Cook County and the participants in the judicial system in a timely, efficient and ethical manner. All services, information and court records will be provided with courtesy and cost efficiency.

No. 07-1928 (related to 07-0191 and 07-2701)

IN THE APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of Cook
Plaintiff-Appellee,	)	County, Criminal Division.
	)	
v.	)	Circuit No. 06 CR 04670-01
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley Sacks,
Defendant-Appellant.	)	Judge presiding.

ORDER

Upon motion of the Defendant-Appellant, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED that Defendant-Appellant's motion to hold appeal 1-07-1928 in abeyance until the resolution of appeal 1-07-0191 is ~~C~~ DENIED.

LESTER FINKLE  
Assistant Public Defender

EDWIN A. BURNETTE  
Public Defender of Cook County

Attorney for: Defendant-Appellant

Address: 69 West Washington Street

City: Chicago, Illinois 60602

Telephone: 312.603.0600

  
Justice

Justice

Justice

STEVEN M. RAVID, CLERK OF THE APPELLATE COURT  
FIRST DISTRICT

ORDER ENTERED

FEB 20 2008

EXHIBIT G

APPELLATE COURT, FIRST DISTRICT

08-0868

IN THE CIRCUIT COURT OF  
PEOPLE OF THE STATE OF ILLINOIS

COOK COUNTY

IND. NO.: 06 CR 4670

VS.

(Actual Innocence Claim)

Ellis ParteeFILED  
CR-4670-3

AUG 10 2007

## PRO SE POST-CONVICTION PETITION

DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, ILL.

Now comes Ellis Partee, Defendant, pro se, and petitions this Honorable Court to grant him relief under the post-conviction act. [725 ILCS 5/122-1.1992]

In support of this petition, Defendant states:

1. He/She was convicted of the offense(s) of: Burglary after a jury trial, ~~trial or entered a guilty plea~~ before the Honorable Stanley Sacks and was sentenced to 7 years on December 8, 2006.
2. He/She ~~did not appeal his/her conviction or he/she~~ appealed his/her conviction to the Appellate Court of Illinois and that Court affirmed his/her conviction on stalled the case (APPELLATE NO. INEFFECTIVE ASSISTANCE OF COUNSEL).
3. He/She did not petition the Supreme Court of Illinois to take his/her case or his/her petition for leave to appeal was denied on N/A. (SUPREME COURT NO.       )

4. This petition was mailed to the clerk of the circuit court within the time frame enumerated under 725 ILCS 5/122-1.

5. Petitioner's constitutional rights were violated because (STATE ALL FACTS KNOWN TO PETITIONER THAT DEMONSTRATE THAT HIS/HER CONSTITUTIONAL RIGHTS WERE VIOLATED): (See Factual Statement Attached).

Petitioner committed no burglary as charged in the indictment obtained by the deliberate use of perjured testimony by the state on March 1, 2006, from a police arrest on February 8, 2006, in the courtroom of Judge Kenneth Hodar, orchestrated by Assistant State's Attorney Arunak R. Bunitas and other state actors who conspired to have Petitioner falsely imprisoned and maliciously prosecuted on a charge that was dismissed as part of a plea agreement in misdemeanor court on December 12, 2005 before Judge Marvin Luskman. (See Attached).

Ellis Partee, Defendant, pro se, states, under penalty of perjury, that the facts set out in this petition are true and correct to the best of his/her knowledge and belief.

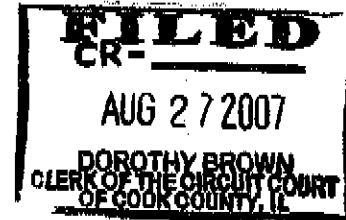
SIGNED: Ellis ParteeSUBSCRIBED AND SWORN TO BEFORE THIS THIS 25 DAY OF July,A.D. 2007.

NOTARY PUBLIC

EXHIBIT H

Form revised 11/1/01

06CR4670C : 00031



1 STATE OF ILLINOIS )  
2 COUNTY OF COOK ) SS:

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
4 COUNTY DEPARTMENT-CRIMINAL DIVISION

5 PEOPLE OF THE STATE OF ILLINOIS )

6 -vs- )

7 ELLIS PARTEE )

No. 06 CR 4670 01

8 REPORT OF PROCEEDINGS had at the  
9 hearing of the above-entitled cause before Stanley J. Sacks, one  
10 of the judges of said division, on the 23rd day of August, A.D.,  
11 2007.

1 THE COURT: Sheet four, Ellis Partee. This is a pro se  
2 motion by the Defendant, Ellis Partee, which he entitles petition  
3 for post-conviction relief, application to sue as a poor person,  
4 motion for appointment of counsel.

5 Regarding Melvin -- Ellis Partee I meant to say he went  
6 to trial pro se on the charge of burglary. He went to trial pro  
7 se. He was found guilty by a jury. He was sentenced on December  
8 8th of last year to seven years in the Department of Corrections.

9 He's filed a previously filed motion, what he calls a  
10 motion for writ of habeas corpus. That was denied. Now he files  
11 this petition for relief based on post-conviction. I would point  
12 out on April 25th of 2007 he appealed this case and this case was  
13 dismissed on his motion before the Appellate Court.


14 As far as his current petition for relief on  
15 post-conviction, I'm not going to go over every single thing.  
16 Most of the arguments he made were made at trial. All of these  
17 arguments are frivolous and patently without merit. I'm not  
18 taking the time to go over every single one of them individually.  
19 It's clear they don't have any merit whatsoever. They're  
20 frivolous and were argued at trial.

21 Petition for post-conviction is dismissed as frivolous  
22 and patently without merit. The application to sue as a poor  
23 person is also denied. Motion for appointment of counsel is  
24 likewise denied. Defendant to be notified. Matter is off call.



1 STATE OF ILLINOIS )  
2 COUNTY OF COOK ) SS:

3 I, ELIZABETH A. REYES, Official Shorthand Reporter of  
4 the Circuit Court of Cook County, County Department-Criminal  
5 Division, do hereby certify that I reported in shorthand the  
6 evidence had in the above-entitled cause and that the foregoing  
7 is a true and correct transcript of all the evidence heard.

8  
9  
10   
11 Official Shorthand Reporter  
12 License No. 084-001910  
13 Circuit Court of Cook County  
County Department  
Criminal Division

14 Dated this 24th day of August, 2007.  
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No. 07-2701 (related to 07-0191 and 07-1928)

IN THE APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,

Plaintiff-Appellee,

v.

ELLIS PARTEE,

Defendant-Appellant.

) Appeal from the  
) Circuit Court of Cook  
) County, Criminal Division.  
)  
) Circuit No. 06 CR 04670-01  
)  
) Honorable  
) Stanley Sacks,  
) Judge presiding.

ORDER

Upon motion of the Defendant-Appellant, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED that Defendant-Appellant's motion to hold appeal 1-07-2701 in abeyance until the resolution of appeal 1-07-0191 is ~~GRANTED~~ DENIED. WITHOUT PREJUDICE TO DEFENDANT'S RIGHT TO SEVERE KINKLE CONSOLIDATION  
Assistant Public Defender

EDWIN A. BURNETTE  
Public Defender of Cook County

Attorney for: Defendant-Appellant

Address: 69 West Washington Street

City: Chicago, Illinois 60602

Telephone: 312.603.0600

Justice

Justice

Justice

ORDER ENTERED

FEB 14 2008

APPELLATE COURT, FIRST DISTRICT

STEVEN M. RAVID, CLERK OF THE APPELLATE COURT  
FIRST DISTRICT

**11951**

NO.

IN THE

SUPREME COURT OF ILLINOIS

Ellis Partee,

Petitioner

v.

People State of Illinois,

Respondent

) Mandamus  
)  
)  
)  
)  
)  
)  
)  
)

MOTION BY PETITIONER FOR LEAVE TO FILE A  
PETITION FOR AN ORIGINAL WRIT OF MANDAMUS

**FILED**

OCT 15 2007

SUPREME COURT  
CLERK

Ellis Partee  
Reg. No. A-15421  
Pinckneyville Correctional Center  
P. O. Box 999  
Pinckneyville, Illinois 62274

  
EXHIBIT K

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, ILLINOIS  
 THE COURT FOR THE \_\_\_\_\_ JUDICIAL CIRCUIT  
 LAW DIVISION

Illinois Supreme Court  
Ellis ParTEE )  
 Plaintiff, )  
 vs ) No. \_\_\_\_\_  
People of the State of Illinois )  
 Defendant. )

PETITION OF MANDAMUS

NOW COMES Plaintiff, Ellis ParTEE, pro se, in order  
 to give notice to the Court for leave to file a PETITION OF MANDAMUS pursuant to  
 Code of Civil Procedure 735 ILCS 5/14-101 et. seq. directed to the above named  
 Defendant. Rule 381 Petition.

IN SUPPORT THEREOF, Plaintiff states as follows:

1. Plaintiff is currently incarcerated at Pinckneyville Correctional  
 Center, Pinckneyville, Illinois, Leary County. Plaintiff is  
 serving a sentence of 7 years for the charge of Burglary  
ON DECEMBER 8, 2006.

2. Defendant, People of the State of Illinois,  
 is the wrongfully convicting body and as such is responsible for  
providing the record of Appeal, certified  
transcripts, in accord with court orders and  
Supreme Court Rule 608(h).

3. Plaintiff brings this PETITION OF MANDAMUS before the Court pursuant to Code of Civil Procedure 735 ILCS 5/14-101 et. seq.

4. The plaintiff has requested that the defendants perform specific ministerial duties. The defendants have refused to perform such duties regardless of plaintiff's clear entitlement to performance of the specific duties which are set forth as follows:

Furnish the Illinois Appellate Court  
with a certified record of proceedings  
stemming from the false arrest and  
malicious prosecution for a crime of  
Burglary that was never committed

5. As a result of Defendant's actions, Plaintiff will suffer irreparable damages and be subjected to denial of a meaningful appeal  
and prolonged unlawful incarceration

6. WHEREFORE, Plaintiff prays the Court will grant any such relief as the Court deems just and necessary by ruling Defendant's actions of withholding  
transcripts violater both the Due Process  
and Equal Protection Clauses of the U.S. Constitution.

7. WHEREFORE, plaintiff further prays the Court will issue an ORDER OF MANDAMUS compelling Defendant to:

(a) file a certified record of  
proceeding with the Illinois Appellate  
Court for the First District, Second  
Division in the case of People v

(a) Parter, #06 CR 4470 held before  
Cook County Associate Judge Shirley Sacks.

(d) \_\_\_\_\_  
\_\_\_\_\_

(e) To grant plaintiff leave to file brief in support of PETITION OF  
MANDAMUS.

(f) To grant such other relief as the Court deems just necessary.

Respectfully submitted,

[Signature]  
Plaintiff, pro se

Signed before me this 8 day of October, 2007.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS

COUNTY OF

PERRY

## AFFIDAVIT

I, Ellis Carter, deposes and says that

as to the petition herein, he/she is the plaintiff in the above entitled cause; that he/she  
has read the foregoing document, by his/her signed, and that the statements contained  
therein are true in substance and in fact.

s/s Ellis Carter  
Plaintiff, pro se

Signed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

07-0191  
IN THE APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

filed: August 6, 2007

People of the State of Illinois,

Appellee,

v.

Ellis Partee,

Appellant.

No. \_\_\_\_\_

Indictment # 06 CR 4670

Appeal taken from Cir. Ct. of Cook Cty.

Hon. Stanley Jacks, Presiding

MOTION TO SHOW CAUSE WHY OFFICIAL COURT  
REPORTER OUGHT NOT TO BE HELD IN CONTEMPT

Now comes the Defendant-Appellant Ellis Partee, pro se and respectfully requests that the Court issue an order to show cause why the Official Court Reporter of Cook County ought not to be held in contempt of court for failing to produce and furnish a certified record of proceedings, in the above cause, in accord with the Rules of the Supreme Court. An Affidavit is attached in support of this Motion.

WHEREFORE, Appellant prays this motion is granted.

Ellis Partee  
ELLIS PARTEE



# AFFIDAVIT

ELLIS PARTEE, first being duly sworn, deposes and states as follows:

1.) THAT the affiant is the defendant in case # 06 CR 4670, Cook Cty. Cir. Ct, Hon. STANLEY SACKS, presiding, currently ON APPEAL before the Appellate Court, First District, Second Division, in Chicago, Illinois;

2.) THAT ON JUNE 22, 2006, JUDGE SACKS ORDERED THAT the RECORD of proceedings be produced and furnished to Assistant Public Defender for use in preparing motion for New TRIAL AND SENTENCING HEARING;

3.) THAT ~~ON~~ <sup>SEPTEMBER 13, 2006</sup> ~~SEPTEMBER 13, 2006~~ JUDGE SACKS SPREAD OF RECORD THAT he was not going to delay sentencing month after month waiting for Asst. Public Defender to obtain trial transcripts AND recommended that she file a "boilerplate motion" for A NEW TRIAL;

4.) In August 2006, assigned Asst. Public Defender Adrienne Davis had obtained transcripts for May 1, 2006, May 10<sup>th</sup> and 11<sup>th</sup>, and of the trial that commenced on June 20, 2006 and concluded June 21, 2006;

5.) Ms. Davis at no time would allow me to peruse the transcripts or furnish me or Attorney Frederick Cohn a copy of the record of proceedings as requested;

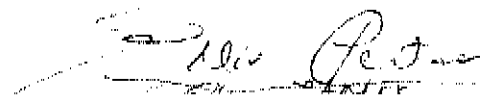
6.) An intern with the Public Defender's Office allowed me to see transcripts of the case, in ~~the~~ <sup>September</sup> of 2006, in the court's bullpen to point up issues for review;

7.) Ms. Davis found out that I was reading them and came to the bullpen to take them away from me;

8.) The trial court ruled that I didn't have a right to the transcripts pro se to use for motion for a new trial or at sentencing.

FURTHER AFFIANT SAYETH NOT!

Dated: July 11, 2007

  
\_\_\_\_\_  
Affiant

STEVEN M. RAVID, CLERK OF THE APPELLATE COURT, FIRST DISTRICT

SUPREME COURT OF ILLINOIS  
CLERK OF THE COURT  
SUPREME COURT BUILDING  
SPRINGFIELD, ILLINOIS 62701  
(217) 782-2035

November 20, 2007

Mr. Ellis Partee  
Reg. No. A-15421  
Pinckneyville Correctional Center  
P. O. Box 999  
Pinckneyville, IL 62274

THE COURT HAS TODAY ENTERED THE FOLLOWING ORDER IN THE CASE OF:

No. 11951 - Ellis Partee, petitioner, v. People State of  
Illinois, respondent. Mandamus.

The motion by petitioner for leave to file a  
petition for an original writ of mandamus is  
denied.

cc: Hon. Lisa Madigan



## SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING

SPRINGFIELD 62701

JULEANN HORNYAK

CLERK OF THE COURT

(217) 782-2035

TELECOMMUNICATIONS DEVICE

FOR THE DEAF

(217) 524-8132

October 15, 2007

FIRST DISTRICT OFFICE

20TH FLOOR

160 N. LASALLE ST.

CHICAGO 60601

(312) 793-1332

TELECOMMUNICATIONS DEVICE

FOR THE DEAF

(312) 793-6185

Mr. Ellis Partee  
Reg. No. A-15421  
Pinckneyville Correctional Center  
P. O. Box 999  
Pinckneyville, Illinois 62274

Re: M11951 - Ellis Partee, petitioner, v. People State of Illinois, respondent.  
Mandamus.

Dear Mr. Partee:

This office has today filed your motion for leave to file a petition for an original writ of mandamus, styled as set forth above. You are being permitted to proceed as a poor person.

Your motion will be referred to the Court, and you will be advised as to the action taken.

Very truly yours,

*Juleann Hornyak*  
Clerk of the Supreme Court

JH/jak

cc: AG CrMadigan ✓

No. 1-07-0191

IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

**FILED**  
APPELLATE COURT 1st DIST.  
APR 30 2008

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

STEVEN M. RAVID  
CLERK

**STATUS REPORT: April 30, 2008**

Appellant, Ellis Partee, by Patricia Unsinn, Deputy Defender, Office of the State Appellate Defender, respectfully reports on the status of the record on appeal in Appellant's case.

In support of this report Patricia Unsinn states:

1. Appellant was convicted of burglary and on January 3, 2007 was sentenced to 7 years in the Illinois Department of Corrections by the Honorable Stanley J. Sacks.
2. Defendant is currently incarcerated.
3. Notice of appeal was filed on January 16, 2007.
4. The Office of the State Appellate Defender was appointed to represent Appellant on January 19, 2007. The Office of the State Appellate Defender was notified of its appointment on January 19, 2007.
5. The report of proceedings was ordered on February 6, 2007. Although not required by Supreme Court Rule 608, the Office of the State Appellate Defender specifically

indicated the dates that needed to be transcribed.

6. The common law record was received on January 19, 2007.
7. The docketing statement was filed on February 9, 2007.
8. Appellant's record was due on November 12, 2007. Counsel has been filing status reports to this Court in lieu of record extensions.
9. The Office of the State Appellate Defender received the record on March 5, 2008, however the record is incomplete. The record is missing transcripts required for appellate review.
10. Appellate counsel cannot file Appellant's record by the above due date because the record is incomplete. Appellate counsel is taking all necessary steps to obtain the complete record.
11. The delay in the filing of the record is in no way the fault of Appellant, and Appellant should not be penalized because his record was prepared incomplete.

WHEREFORE, Counsel will provide this Court with a status report every 60 days until the record is complete and a certificate in lieu of record can be filed.

Respectfully submitted,



PATRICIA UNSINN  
Deputy Defender  
Office of the State Appellate Defender  
203 North LaSalle Street - 24th Floor  
Chicago, Illinois 60601  
(312) 814-5472

COUNSEL FOR DEFENDANT-APPELLANT

STATE OF ILLINOIS    )  
                              )   SS  
COUNTY OF COOK     )

### AFFIDAVIT

Patricia Unsinn, being first duly sworn on oath, deposes and says that she has read the foregoing Status Report by her subscribed and the facts stated therein are true and correct to the best of her knowledge and belief.



PATRICIA UNSINN  
Deputy Defender

SUBSCRIBED AND SWORN TO BEFORE ME  
on April 30, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC

Official Seal  
Joanna Ostrowski  
Notary Public State of Illinois  
My Commission Expires 05/23/2011



IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County, Illinois.
Plaintiff-Appellee,	)	
	)	
-vs-	)	No. 06 CR 4670.
	)	
ELLIS PARTEE,	)	Honorable
	)	Stanley J. Sacks,
Defendant-Appellant.	)	Judge Presiding.

**PROOF OF SERVICE**

TO: Richard A. Devine, Cook County State's Attorney, 300 Daley Center, Chicago, Illinois 60602

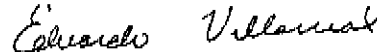
You are hereby notified that on April 30, 2008, we personally delivered the original and two copies of the attached Status Report in the above-entitled cause to the Clerk of the above Court, a copy of which is hereby served on you.



PATRICIA UNSINN  
Deputy Defender

STATE OF ILLINOIS    )  
                              ) SS  
COUNTY OF COOK    )

The undersigned, being first duly sworn on oath, deposes and says that she personally delivered the required number of copies of the attached Status Report to the Clerk of the above Court and to the State's Attorney of Cook County on the above stated date.



CLERK

SUBSCRIBED AND SWORN TO BEFORE ME  
on April 30, 2008.

  
NOTARY PUBLIC

Official Seal  
Joanna Desrosiers  
Notary Public State of Illinois  
My Commission Expires 06/23/2011